

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES R. BERKLEY,

Plaintiff,

vs.

MATINA REALTY, LLC,

Defendant.

2:21-CV-00925-CCW

**MEMORANDUM ORDER**

This case has been referred to Chief United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On May 10, 2022, the Magistrate Judge issued a Report, ECF No. 22, recommending that Defendant's Motion to Dismiss be denied. Service of the Report and Recommendation ("R&R") was made on the parties, and Defendant Matina Realty, LLC, has filed Objections. *See* ECF No. 23.

After a *de novo* review of the pleadings and documents in the case, together with the R&R and the Objections thereto, the following Order is entered: Defendant's Motion to Dismiss, ECF No. 12, is DENIED; and the R&R, ECF No. 22, is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

DATED this 3rd day of August, 2022.

BY THE COURT:

/s/ Christy Criswell Wiegand  
CHRISTY CRISWELL WIEGAND  
United States District Judge

cc (via ECF email notification):

All Counsel of Record